



PTO/SB/21 (08-00)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

10/782,083

Filing Date

19 February 2004

First Named Inventor

Bindu Rama Rao

Group Art Unit

2122

Examiner Name

Unassigned

Attorney Docket Number

14914US02

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure  
Statement☒ PTO 1449/08A with 47 US,  
4 Foreign, 5 Other Art  
references☐ Certified Copy of Priority  
Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawing(s) ( sheets)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence  
Address☐ Terminal Disclaimer☐ Request for Refund☐ CD Number of CD(s) \_\_\_\_\_☐ After Allowance Communication  
to Group☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Return-Receipt Postcard☐ Other Enclosure(s) (please  
identify below):

Remarks



**PATENT**  
**Attorney Docket No. 14914US02**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of:

Bindu Rama Rao

Serial No.: 10/782,083

Filed: 19 February 2004

For: ELECTRONIC DEVICE NETWORK  
HAVING GRACEFUL DENIAL OF  
SERVICE

Examiner: Unassigned

Group Art Unit: 2122

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is  
being deposited with the United States  
Postal Service as first-class mail, postage  
prepaid, in an envelope addressed to: Mail  
Stop Amendment, Commissioner for  
Patents, P.O. Box 1450, Alexandria, VA  
22313-1450 on 10 November 2004.

Fredrick T. French, III  
Reg. No. 52,524

**TRANSMITTAL OF  
INFORMATION DISCLOSURE STATEMENT  
AFTER APPLICATION FILING DATE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**ENCLOSURES**

Enclosed are the following:

- \* A two-page, completed PTO form 1449.
- \* The enclosed PTO form 1449 lists 47 references not previously provided to or by the PTO in this application. Copies of the four foreign references listed thereon are enclosed herewith.
- \* Each of the five "other art" references are listed in the enclosed form 1449. Copies are enclosed herewith.

## **FEE DETERMINATION**

- \* No fee is believed to be due because:
  - \* This statement and enclosures are being filed three months or less after the application was filed.
  - \* The applicant(s) believe(s) that this statement and enclosures are being filed before the first Office action on the merits has been mailed by the PTO. The basis of this belief is that no Office action on the merits appears to have been received by the undersigned to date.

## **FEE PAYMENT**

The following arrangements have been made to pay the fees calculated above:

- \* No fee is believed to be due.

The Commissioner is hereby authorized to charge any additional fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

## **REMARKS**

The Applicants neither agree nor disagree with the following notations that accompanied the references listed below in a prior art search performed by Augustine Associates, Ltd., 2981 Fox Tail Court, Woodbridge, VA 22192, dated April 22, 2003:

2003/0061384	"para (0015)"
2003/0037075	"para (0166)"
2003/0033599	"wireless software download, see (0039)"
2002/0157090	"update software, Claim 17"
2002/0152005	"wireless link upgrade"
2002/0131404	"can be used with games (0004)"
2002/0116261	"update software (0058)"
2001/0029178	"Claim 1, upgrade"
6,438,585	"mobile link"
6,279,153	"ROM update on wireless link abstract (170 page patent – front page and claims only provided here)"
6,198,946	"wireless upgrade"
6,163,274	"real-time update"

6,126,327	"flash update (265 page patent – front page and claims only provided here)"
5,790,974	"'perceptual' software agent that updates stored entries"
5,261,055	"wireless upgrade"
5,598,534	"PDA link system"
5,666,293	"loaded into non-volatile[sic] memory. Claims 2 and 3, game system"

## REQUEST FOR CONSIDERATION

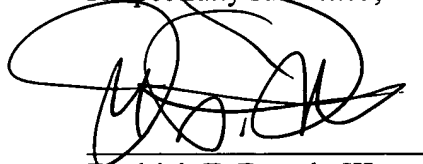
This paper and enclosures are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above.

This submission is in no way intended as an admission that the cited references constitute prior art under any subsection of 35 U.S.C. § 102. Applicants expressly retain the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial a copy of the enclosed PTO-1449 and return to the applicants to indicate consideration of the enclosed references.

Dated: 10 November 2004

Respectfully submitted,



Fredrick T. French, III  
Reg. No. 52,524  
Agent for Applicants

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FORM PTO-1449	SERIAL NO. 10/782,083	CASE NO. 14914US02
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE 19 February 2004	GROUP ART UNIT 2122
APPLICANT(S): Bindu Rama Rao		

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	2002/0078209	06/20/2002	Peng	709/227	12/15/2000
	2002/0116261	08/22/2002	Moskowitz et al.	705/14	02/20/2001
	2002/0131404	09/19/2002	Mehta et al.	370/352	11/28/2001
	2002/0152005	10/17/2002	Bagnordi	700/234	04/12/2001
	2002/0156863	10/24/2002	Peng	709/217	04/23/2001
	2002/0157090	10/24/2002	Anton, Jr.	717/178	04/20/2001
	2003/0033599	02/13/2003	Rajaram et al.	717/173	08/10/2001
	2003/0037075	02/20/2003	Hannigan et al.	707/500	05/02/2002
	2003/0061384	08/27/2003	Nakatani	709/245	09/25/2001

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO
	8202626	08/09/1996	Japan		X	
	2,339,923	03/02/2000	Canada			
	2002-0034228	05/09/2000	Korea		X	
	2001-0100328	11/14/2001	Korea		X	

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)
	"Focus on OpenView A guide to Hewlett-Packard's Network and Systems Management Platform", Nathan J. Muller, pages 1-291, CBM Books, published 1995.
	"Client Server computing in mobile environments", J. Jing et al, ACM Computing Surveys, Vol. 31, Issue 2, pages 117-159, ACM Press, July, 1999.
	"ESW4: enhanced scheme for WWW computing in wireless communication environments", S. Hadjiefthymiades, et al, ACM SIGCOMM Computer Communication Review, Vol. 29, Issue 5, pages 24-35, ACM Press, October, 1999.
	"Introducing quality-of-service and traffic classes in wireless mobile networks", J. Sevanto, et al, Proceedings of the 1 <sup>st</sup> ACM international workshop on Wireless mobile multimedia, pages 21-29, ACM Press, 1998.
	"Any Network, Any Terminal, Anywhere", A. Fasbender et al, IEEE Personal Communications, April 1999, pages 22-30, IEEE Press, 1999.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449	SERIAL NO. 10/782,083	CASE NO. 14914US02
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE 19 February 2004	GROUP ART UNIT 2122
Page 1 of 2	APPLICANT(S): Bindu Rama Rao	

**REFERENCE DESIGNATION U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	5,261,055	11/09/1993	Moran et al.	395/275	02/19/1992
	5,442,771	08/15/1995	Filepp et al.	395/650	11/26/1993
	5,479,637	12/26/1995	Lisimaque et al.	395/430	08/28/1991
	5,579,522	11/26/1996	Christeson et al.	395/652	07/24/1995
	5,596,738	01/21/1997	Pope	395/430	04/12/1995
	5,598,534	01/28/1997	Haas	395/200.09	09/21/1994
	5,608,910	03/04/1997	Shimakura	395/670	05/09/1994
	5,623,604	04/22/1997	Russell et al.	395/200.1	11/18/1992
	5,666,293	09/09/1997	Metz et al.	395/200.5	07/03/1995
	5,752,039	05/12/1998	Tanimura	395/712	11/21/1994
	5,778,440	07/07/1998	Yiu et al.	711/154	02/16/1996
	5,790,974	08/04/1998	Tognazzini	701/204	04/29/1996
	5,878,256	03/02/1999	Bealkowski et al.	395/652	10/16/1991
	5,960,445	09/28/1999	Tamori et al.	707/203	04/17/1997
	6,009,497	12/28/1999	Wells et al.	711/103	11/09/1998
	6,038,636	03/14/2000	Brown, III et al.	711/103	04/27/1998
	6,064,814	05/16/2000	Capriles et al.	395/701	11/13/1997
	6,073,206	06/06/2000	Piwonka et al.	711/102	04/30/1998
	6,073,214	06/06/2000	Fawcett	711/133	09/09/1998
	6,088,759	07/11/2000	Hasbun et al.	711/103	06/30/1997
	6,105,063	08/15/2000	Hayes, Jr.	709/223	05/05/1998
	6,112,024	08/29/2000	Almond et al.	395/703	10/02/1996
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	6,126,327	10/03/2000	Bi et al.	395/200.51	10/16/1995
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	6,157,559	12/05/2000	Yoo	365/52	06/12/1998
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	6,311,322	10/30/2001	Ikeda et al.	717/1	03/05/1999
	6,438,585	08/20/2002	Mousseau et al.	709/206	01/16/2001
	2001/0029178	10/11/2001	Criss et al.	455/419	06/07/2001
	2001/0047363	11/29/2001	Peng	707/104.1	02/01/2001
	2001/0048728	12/06/2001	Peng	375/354	02/01/2001

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